



Attorney Docket No. VPI/00-109 DIV US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: David Bebbington, et al.  
CONFIRMATION NO.: Not Yet Assigned  
SERIAL NUMBER: 10/645,043 EXAMINER: B. Kifle  
FILING DATE: August 21, 2003 ART UNIT: 1624  
FOR: CARBAMATE CASPASE INHIBITORS AND USES THEREOF

November 18, 2003  
Cambridge, Massachusetts 02139-4242

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Information Disclosure Statement is being been filed:

- ☐ within three months of the filing date of the National Application;
- ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or
- ☒ before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

Copies of the cited references are not provided as they were previously submitted to the Office in a prior application, U.S.S.N. 09/821,161 filed on March 29, 2001, and relied upon for an earlier filing date under 35 U.S.C. §1.20. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form

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U.S.S.N.:        10/645,043

PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0725, Reference No. VPI/00-109 DIV US.

Respectfully submitted,



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<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	10/645,043
	<b>Filing Date</b>	August 21, 2003
	<b>First Named Inventor</b>	David Bebbington
	<b>Group Art Unit</b>	1624
	<b>Examiner Name</b>	B. Kifle
	<b>Attorney Docket Number</b>	VPI/00-109 DIV US

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1*	6,153,591	11/28/2000	Cai, et al.			
	A2*	6,184,210 B1	02/06/2001	Keana, et al.			
	A3*	6,495,522	17-Dec-2002	Cytovia, Inc.			
	A4*	6,376,484	23-Aug-2002	Ono Pharmaceuticals Co., Ltd.			
	A5*	6,136,834	24-Oct-2000	Ono Pharmaceuticals Co., Ltd.			

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
	B1*		WO 97/24339	Ono Pharmaceuticals Co., Ltd.	10 July 1997		X
	B2*		WO 98/16505	Warner-Lambert Company	23 April 1998		
	B3*		EP 0618223 A2	Sandoz Ltd.	5 October 1994		
	B4*		WO 91/15577	Immunex Corporation	17 October 1991		
	B5*		WO 93/05071	Immunex Corporation	18 March 1993		
	B6*		WO 96/30395	Takeda Chemical Industries, Ltd.	3 October 1996		
	B7*		WO 98/11129	Idun Pharmaceuticals Incorporated	19 March 1998		
	B8*		WO 98/16502	Warner-Lambert Company	23 April 1998		
	B9*		WO 99/18781	Cytovia, Inc.	22 April 1999		
	B10*		WO 99/47154	Cytovia, Inc.	23 September 1999		
	B11*		WO 00/23421	Idun Pharmaceuticals Incorporated	27 April 2000		
	B12*		WO 00/55114	Cytovia, Inc.	21 September 2000		
	B13*		WO 00/61542	Cytovia, Inc.	19 October 2000		
	B14*		WO 01/16093	Cytovia, Inc.	8 March 2001		

OTHER NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, U.S.S.N. 09/821,161, filed March 29, 2001, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.



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**Certificate Of Mailing Under 37 CFR §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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On November 18, 2003  
Date

1. Information Disclosure Statement (in duplicate);
2. PTO-1449 Form (in duplicate); and
3. and this return postcard receipt.

Karen DiRocco  
Signature

Karen DiRocco  
Typed or printed name of person signing Certificate